

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 50

ISSUE 13

March 27, 2026

The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.

Proposed Rulemakings

DRIVER'S LICENSES

The SECRETARY OF STATE proposed amendments to Issuance of Licenses (92 IAC 1030; 50 Ill Reg 4643) implementing various Public Acts and other updates. This rulemaking updates the definition of "competent medical specialist" to include physician assistants and advanced practice nurses; raises the age at which a road test is required for license renewal (other than Commercial Driver's Licenses) from 79 to 87; requires applicants to wear shoes during road tests; and implements statute allowing an immediate family member (spouse, parent, grandparent, sibling or child) to submit a Request for Driver Review to SOS concerning an individual's mental, physical, visual or behavioral condition that impairs their ability to drive safely. (Currently, only an "authorized source", e.g., a competent medical specialist, police officer, State's Attorney or judge, can

make such a request.) The definition of cheating on a written test is expanded to include receiving answers from another individual, either in person or remotely, via any electronic device, including but not limited to microphones and cell phones. A new restriction code is added for school bus driver permits

**Adopted Rule, Page 3
JCAR Meeting Action, Page 4
Second Notices, Page 4**

that allows the holder to operate only first division vehicles (carrying no more than 10 persons) and multi-function school activity buses. Other provisions allow public officials and certain employees of the Department of Children and Family Services to use their business addresses instead of their home addresses on driver's licenses and identification cards; prohibit a notary from charging a fee to notarize a Homeless Status Certification; clarifies when SOS must

be notified that a guardian has been appointed for a driver; and remove definitions of terms not used elsewhere in the Part.

Questions/requests for copies/comments through 5/11/26: Pamela Wright, SOS, 450 Howlett Building, Springfield, IL 62756, 217-785-3094, pwright@ilsos.gov

▪ MOTORCYCLE SAFETY

The DEPARTMENT OF TRANSPORTATION proposed amendments to Illinois Cycle Rider Safety Training Program (92 IAC 455; 50 Ill Reg 4743) implementing PA 104-408 and making additional updates. The rulemaking replaces the current regional training centers with Cycle Rider Safety Training Course providers, which may include community colleges, State universities, State or local government

(cont. page 2)

ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days. **PROPOSED RULEMAKINGS:** Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days. **PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

- - Designates rules of special interest to small businesses, small municipalities and/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.

QUESTIONS/COMMENTS: Submit mail, e-mail or phone calls to the agency personnel listed below each summary.

RULE TEXT: First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under "Illinois Register". Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

Proposed Rulemakings

(cont. from page 1)

agencies, for-profit businesses, or non-profit entities. The Cycle Rider Safety Training Course curriculum offered by a provider must be approved by DOT, and any changes must be approved by the curriculum provider and DOT. The curriculum provider and the course provider may be one organization or separate organizations. Courses may be entry level (two- and three-wheel), intermediate level, or advanced level (currently, beginner and advanced). Criteria and approval forms for range areas where students will practice driving must be requested electronically (currently, by mail). Participants in a Cycle Rider Safety Training Course must show current proof of liability insurance if they are using their own personal or borrowed cycle (instead of a motorcycle provided by the course provider) or are enrolled in an advanced course, and may voluntarily donate their registration fee, normally refunded at the completion of the course, to the Cycle Rider Safety Training Fund.

Questions/requests for copies/comments through 5/11/26: Julita Kuzminaite, DOT, 2300 S. Dirksen Pkwy, Room 313, Springfield IL 62764, 217-524-2638, DOT.AdminRules@illinois.gov

▪ DUAL CREDIT COURSES

The ILLINOIS COMMUNITY COLLEGE BOARD proposed an amendment to Administration of the Illinois Public Community College Act (23 IAC 1502; 50 Ill Reg 4572) implementing Public Act 104-12. The PA and this rulemaking require a school district and community college district seeking approval to offer dual credit

courses to designate a liaison and begin negotiations for a partnership agreement no later than 60 calendar days after the initial request. School districts seeking to offer dual credit coursework with any postsecondary institution other than a community college must first negotiate with the designated liaison of the local community college district and seek a partnership agreement with that district before approaching another institution. A school district cannot contract with an out-of-State postsecondary institution to offer a dual credit course until the school district has demonstrated to ICCB that it considered in-State postsecondary institutions and explains why the course can be provided only by an out-of-State institution. The Act and this rulemaking also require a fully qualified dual credit instructor to hold either a master's degree in the discipline to be taught, or a master's degree in another discipline with 18 graduate hours in the discipline to be taught. Instructors shall not be required to exceed these minimum credentials. Instructors for dual credit courses shall be identified and recommended by the school district and reviewed and approved by the community college district (currently, the community college is responsible for selecting instructors). For career and technical dual credit courses, an instructor must have at least 2,000 hours of work experience, appropriate recognizable credentials, and demonstrated teaching competency in the subject to be taught. The rulemaking updates statutory requirements for professional development plans allowing high school instructors to teach dual credit classes while working toward full qualifications and provides an appeal process for instructors whose professional development plans are not accepted by the community college. Other provisions include requirements for disapproval of

course requests, course documentation, withdrawal of course or instructor approval, along with an appeal process for these actions; and policies to protect the academic standing of high school students who are not succeeding in a dual credit course (e.g., allowing late withdrawal or pass-fail grading). School districts and community college districts are affected.

Questions/requests for copies/comments through 5/11/26: Matt Berry, ICCB, 401 E. Capitol Ave., Springfield IL 62701-1711, 217-785-7411, Matt.Berry@illinois.gov

▪ REAL ESTATE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed an amendment to the Part titled Real Estate License Act of 2000 (68 IAC 1450; 50 Ill Reg 4600) clarifying the timing of brokerage agreements between licensees and consumers. If the consumer is a seller or owner of real estate, the written brokerage agreement must be completed prior to marketing or listing the property for sale or lease. If the consumer is a buyer or tenant, the agreement must be completed before, or as soon as reasonably practical after, the broker has performed any licensed activities intended to facilitate a purchase or lease. A licensee who has an executed written brokerage agreement with a seller or owner may perform licensed activities with an unrepresented buyer or tenant after providing written disclosure to the buyer/tenant that the licensee is not acting as their agent. If the buyer/tenant then wishes to have the licensee act as a dual agent, the licensee must complete a written brokerage agreement with the buyer/tenant before performing any licensed activities on their behalf.

(cont. page 3)

Proposed Rulemakings

(cont. from page 2)

Licensed real estate agents and their clients are affected.

• ANIMAL EUTHANASIA

DFPR also proposed an amendment to the Part titled Humane Euthanasia in Animal Shelters Act (68 IAC 1248; 50 Ill Reg 4593) removing the current requirement that animal control facilities and animal shelters licensed as animal euthanasia agencies submit annual records of the number of dogs, puppies (under 4 months old), cats, kittens (also under 4 months), and other species euthanized and the quantity of drugs used to DFPR. Instead, these agencies will be required to keep these records on an annual basis and submit them to DFPR if they are requested. County, municipal and non-profit animal shelters with euthanasia licenses are affected.

Questions/requests for copies/comments on the 2 DFPR rulemakings through 5/11/26: Craig Cellini, DFPR, 320 W. Washington St.,

2nd Floor, Springfield IL 62786, 217-785-0810, fax 217-557-4451, Craig.Cellini@illinois.gov

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to Improper Claims Practice (50 IAC 919; 50 Ill Reg 4617) intended to clarify how DOI's improper claims practice rules apply to different types of property and casualty insurance. This rulemaking separates the rules that apply to fire and extended coverage (homeowners' insurance) into a different Part from the rules that apply to private passenger auto policies. Other provisions comply with PA 102-69, which codified the payment of certain taxes and fees associated with a total loss into statute; implement PA 103-615 regarding notification to insureds regarding how a total loss determination was made; and expand certain claims practice requirements that were only applicable to first-party claims to include third-party claims. Finally, insurers must provide private passenger auto claimants and fire and extended coverage insureds with a copy of the written estimate upon which any settlement offer is based. Previously insurers were only required to provide this upon request.

Questions/requests for copies/comments through 5/11/26: Kathryn Williams, DOI, 122 S. Michigan Ave., 19th Floor, Chicago IL 60603, 217-843-0050, Kathryn.a.williams@illinois.gov, or Susan Anders, DOI, 320 W. Washington St., 4th Floor, Springfield IL 62767-0001, 217-558-0957, sue.anders@illinois.gov

• SECURITY GRANTS

The ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY proposed amendments to State Not-For-Profit Security Grant Program (29 IAC 120; 50 Ill Reg 4612) implementing Public Act 104-2. The PA and this rulemaking remove a former statutory provision that excluded from the grant program entities whose primary purpose was providing medical or mental health services. The rulemaking also updates the web address for the current State of Illinois Homeland Security Strategy.

Questions/requests for copies/comments through 5/11/26: Traci Burton, IEMA-OHS, 1035 Outer Park Drive, Springfield IL 62704, 217-785-9860, Traci.Burton@illinois.gov

Adopted Rule

TEACHERS' RETIREMENT

The TEACHERS' RETIREMENT SYSTEM adopted amendments to The Administration and Operation of the Teachers' Retirement System (80 IAC 1650; proposed at 49 Ill Reg 15520) effective 3/13/26 at 50 Ill Reg 4774, that implement various changes to the Pension Code and to Internal Revenue Service requirements, and remove obsolete statutory references. The

rulemaking repeals references to past early retirement options and provisions for salary increases of more than 3% that are no longer in effect or were never implemented and repealed from statute. References to contracts and collective bargaining agreements that are no longer in effect are also repealed. Other provisions address IRS requirements for members upon retirement or when they receive refunds upon

separation from service; clarify certain provisions for Qualified Illinois Domestic Relations Orders (QILDROs) and other procedures to divide pension benefits between divorced spouses; and reflect TRS' current administrative review practices.

Questions/requests for copies: Cyndi Fain, TRS, 2815 W. Washington St., PO Box 19253, Springfield IL 62794-9243, 217-814-2041, cfain@trs.il.gov

JCAR Meeting Action

At its March 24, 2026 meeting, the Joint Committee on Administrative Rules took the following actions. Proposed rulemakings from this agenda that are not listed below received No Objection and may now be adopted by their respective agencies.

RECOMMENDATION

With regard to the Illinois Housing Development Authority's rulemaking titled Low-Income Housing Tax Credit Allocation (47 IAC 350; 49 Ill Reg 14376), JCAR recommends that the Authority utilize the processes under the Illinois Administrative Procedure Act to make statements of general applicability that affect private rights or procedures available to persons outside the agency. The Authority's initial proposed rulemaking provided broad authority to set fees outside of rule. Additionally, JCAR recommends that the Authority be more timely in updating its fees in rule. The Authority has charged fees for the Low-Income Housing Tax Credit program that are inconsistent with the fee amounts specified in rule for years.

EXTENSIONS

JCAR, with the concurrence of the respective agencies, extended the Second Notice period for the following rulemakings an additional 45 days. These rulemakings will be considered again at the April 14 meeting.

Department of Agriculture, Cannabis Regulation and Tax Act (8 IAC 1300; 49 Ill Reg 12208)

Department of Children and Family Services, Background Checks (89 IAC 385; 49 Ill Reg 5510).

Chief Procurement Officer - Department of Transportation, Chief Procurement Officer for the Department of Transportation – Contract Procurement (44 IAC 6; 49 Ill Reg 16138)

Illinois Student Assistance Commission, Human Services Professional Loan Repayment Program (23 IAC 2752; 49 Ill Reg 12883)

Secretary of State, Public Use of the Capitol Complex and Springfield Facilities (71 IAC 2005; 49 Ill Reg 15062)

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the April 14, 2026, meeting in Springfield. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR at jcar@ilga.gov.

IL STUDENT ASSISTANCE COMMISSION

Workforce Development Through Charitable Loan Repayment Program (23 IAC 2776; 49 Ill Reg 12900) proposed 10/17/25

Nursing Education Scholarship (23 IAC 2749; 49 Ill Reg 12851) proposed 10/17/25

OFFICE OF THE TREASURER

Rules for Charitable Trust Stabilization Committee (74 IAC 650; 50 Ill Reg 1621) proposed 1/30/26

Next JCAR Meeting: Tuesday, April 14, 10:30 a.m.

Room C-1, Stratton Bldg., 401 S. Spring St., Springfield

Meeting will be live streamed on the JCAR website

Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair

Senator Cristina Castro

Senator Donald DeWitte

Senator Dale Fowler

Senator Napoleon Harris, III

Senator Sally Turner

Representative Ryan Spain, Co-Chair

Representative Eva-Dina Delgado

Representative Jackie Haas

Representative Steven Reick

Representative Curtis Tarver, II

Representative Dave Vella

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director

700 Stratton Office Building, Springfield IL 62706

217-785-2254 ■ jcar@ilga.gov